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JAMES N. HATTEN, Clerk  
By:  Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF GEORGIA**

**Atlanta DIVISION**

First Key Homes

Respondent,

VS

Jamillah Williamson and others

Petitioner

**1:19-CV-3419**

**PETITION NOTICE FOR REMOVAL OF ACTION**

**COMPLAINT PRELIMINARY AND PERMANENT INJUNCTION,**

**TEMPORARY RESTRAINING ORDER**

**1.**

The petitioner respectfully petitions this court for removal of action.

COMES NOW Jamillah Williamson to Hereby request a "Preliminary and

Permanent Injunction, Temporary Restraining Order, Petition Of Removal.

Petitioner as above stated and petitions this court for removal of action from

the Fulton County *Magistrate* Court . This petition is set forth on the

following grounds;

The Respondent did violate 15 USC 1692, Rule 60 of the federal Rule

of Civil Procedure: and having a legal duty to abort eviction pursuant to O.C.G.A 51-1-16.

Civil Practice and Procedure Chapter 83.51

The Fulton County Magistrate Courts' Dispossessory action is in violation of 14th Amendment of the U.S. Constitution with respect to Due Process of law.

The Fulton County Magistrate Courts' Dispossessory is Unconstitutional with respect to "Due Process Clauses" 14th Amendment.

## **JURISDICTION**

**2.**

Jurisdiction and venue of this court over this matter is invoked pursuant to the 28 U.S.C. § 1331, 1332, 1343 and 1357.

## **COUNT I**

### **ILLEGAL DISPOSSESSORY**

Defendant Jamillah Williamson avers that the Respondent First Key Homes did file an illegal dispossessory and did not have any legal standing to file a **WRIT OF POSSESSION.**

Jamillah Williamson and First Key Homes had an oral repayment agreement which she never defaulted on.

## **PARTIES**

**3.**

Petitioner Jamillah Williamson is the tenant at the property.

Respondent First Key Homes is the said owner that is over the property.

## COUNT II

### NATURE OF ACTION

#### 4.

This is an action to prevent First Key Homes from conducting and enforcing an illegal **WRIT OF POSSESSION** and illegal **EVICTION** with respect to the property located in Fulton County against Petitioner Jamillah Williamson and to set aside the illegal Eviction.

Also the Respondent attorney misled petitioner through deceit, misinformation and duress caused her to believe that, absent a signed copy of consent agreement she would be evicted that day.

The consent order was structured in such a way as to ensure default thusly violating her civil rights.

### WHEREFORE the Petitioner Jamillah Williamson demands the following

#### relief :

1. This honorable Court remove this case from the Fulton County Magistrate Court.
2. This honorable Court afford adequate *discovery*.
3. This honorable Court provide relief such as this Court deems just and proper.
4. This honorable Court enjoin the consent agreement and all that it entails.
5. Enjoin and issue **INSTANTER** , an **EMERGENCY TEMPORARY RESTRAINING ORDER**, and Injunction against the Plaintiff, Dispossessory Proceedings Consent Agreement, and Writ Of Possession issued in the Fulton County Magistrate Court

### VERIFICATION

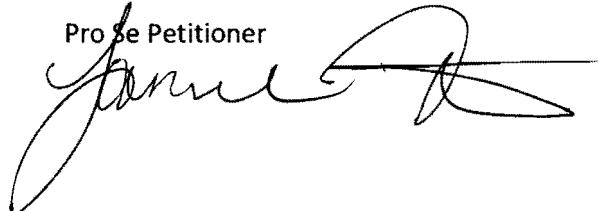
#### (Affidavit)

The undersigned Affiant Jamillah Williamson by appellation does here with swear, declare and affirm that the Affiant executes this Affidavit with sincere intent and competently states the matters set forth. I the undersigned

being under oath and declare under penalty of perjury, that I **do not** have an Attorney to represent me in this case. Also that the contents are true, correct and not misleading to the best of **my** knowledge.

Jamillah Williamson

Pro Se Petitioner

A handwritten signature in black ink, appearing to read "Jamillah Williamson".

IN THE  
MAGISTRATE COURT OF FULTON COUNTY, STATE OF GEORGIA  
PROSECUTOR'S PETITION FOR TAKING OVER

Case Number: 11LC

PL-0001 15-0007

Plaintiff's Name:

Plaintiff's Name/Address/Phone/Email:

Defendant's Name/Address:

1225 Peachtree St. NW  
Atlanta, GA 30367

Defendant's Name &amp; Address:

1. Defendant is in possession as tenant of premises at the address in Fulton County as stated above.

2. Affidavit of the  Owner  Attorney  Agent  Tenant of the owner of said premises3. Defendant  fails to pay the rent which is now past due. holds the premises over and beyond the term for which they rented to him. no longer has permission to remain in the premises. other grounds.

4. Plaintiff desires and has demanded possession of the premises.

5. Defendant has failed and refused to deliver possession of the premises.

## UNSWORN PLAINTIFF'S STATEMENT

(a) Possession of the premises.

(b) Previous rent of \$1,300.00 for the month of May.

(c) Rent accruing up to the date of judgment of vacancy at the rate of \$1,300.00 per month.

(d) Other: See attached.

By signing my name on this affidavit, I swear or affirm to the best of my knowledge, belief and memory, that the foregoing is true and correct.

/s/ Phillip Shanks  
Plaintiff's Attorney

5/27/2019

DATE

PHONE NUMBER / EMAIL ADDRESS

## SUMMONS

To the Sheriff of the Magistrate Court of Fulton County or his lawful deputy:

Plaintiff, Phillip Shanks, 1225 Peachtree St. NW, Atlanta, GA 30367, by the undersigned, on May 27, 2019, served or written Answer at Room 10100, 185 Central Avenue, SW, Atlanta, Georgia, 30330, to Plaintiff's Petition for Taking Over, on May 27, 2019, or 10 days from the date of the actual service, unless the seventh day is a Saturday, a Sunday, or a legal holiday, or the day after, if the day is not a Saturday, a Sunday, or a Court Holiday. If the Answer is not received by the seventh day, it will be considered a pro se voluntary affidavit. The Answer may contain any valid or equitable defense or counterclaim. It may be filed in the Clerk's Office, Land Division or Probate Court, or in Court. The above affidavit is sworn to and subscribed before the undersigned Deputy Clerk by Plaintiff as provided by O.C.G.A. § 44-7-50 and summonses issued pursuant thereto.

I, Phillip Shanks, do solemnly swear:

DEPUTY CLERK

## PRIVATE PLIERS SERVICE AFFIDAVIT OF SERVICE

I, Phillip Shanks, do solemnly swear on the testimony of the Plaintiff, that I have delivered a copy of same to the Plaintiff, Phillip Shanks, 1225 Peachtree St. NW, Atlanta, GA 30367, on May 27, 2019, at 10:00 AM, at the address above, in the City of Atlanta, State of Georgia, in the County of Fulton, Georgia, by private pliers service, and that the copy was served in the City of Atlanta, State of Georgia, in the County of Fulton, Georgia, at 10:00 AM, on May 27, 2019.

OCTOBER 10, 2019 OR BEFORE

01-05-2019

NOTARY

ANSWER